

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	
	)	CASE NO. 19 B 18649
John Coleman,	)	HONORABLE LaShonda A Hunt
DEBTOR	)	CHAPTER 13

**NOTICE OF MOTION**

To: Glenn B Stearns, 801 Warrenville Road Suite 650, Lisle, IL 60532;

PennyMac Loan Services, LLC, PO Box 2410, Moorpark, CA 93020;

Timothy R Yueill, Law Offices of Ira T. Nevel, 175 N. Franklin, Chicago, IL 60606;  
representing PennyMac Loan Services, LLC,

CT Corporation System, Registered Agent PennyMac Loan Services, LLC, 208 S. LaSalle St,  
Suite 814, Chicago, IL 60604;

David A. Spector, President for PennyMac Loan Services, LLC, 3043 Townsgate Rd, Suite 200,  
Westlake Village, CA 91361;

See attached Service List via U.S. Mail.

Please take notice that on March 19, 2021, at 10:15 a.m., I shall appear telephonically before the Honorable LaShonda A Hunt, or any judge sitting in that judge's place, and present the motion to modify plan, a copy of which is attached.

**This motion will be presented and heard telephonically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must call in to the hearing using the following information—Toll Free Number: 1-888-557-8511; Access Code: 7490911.**

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

### **PROOF OF SERVICE**

The undersigned, an attorney, certifies that he transmitted a copy of this notice and the attached motion to the above-named creditor and also to the attached service list via regular U.S. Mail with postage prepaid from the mailbox located at 20 S. Clark Street, Chicago, IL 60603 on February 24, 2021.

/s/ Yisroel Y. Moskovits  
Attorney for Debtors

The Semrad Law Firm, LLC  
10 N Martingale Rd Suite 400  
Schaumburg, IL 60173  
(312) 913-0625

Label Matrix for local noticing  
0752-1  
Case 19-18649  
Northern District of Illinois  
Eastern Division  
Wed Feb 24 13:04:27 CST 2021

U.S. Bankruptcy Court  
Eastern Division  
219 S Dearborn  
7th Floor  
Chicago, IL 60604-1702

Ashley Furniture  
1930 Mt Zion Road  
Morrow, GA 30260-3316

(p)JPMORGAN CHASE BANK N A  
BANKRUPTCY MAIL INTAKE TEAM  
700 KANSAS LANE FLOOR 01  
MONROE LA 71203-4774

COMENITYBANK/VICTORIA  
220 W SCHROCK RD  
WESTERVILLE, OH 43081-2873

ComEd  
3 Lincoln Center  
Bankruptcy Section  
Oakbrook Terrace, IL 60181-4204

Discover Bank  
Discover Products Inc  
PO Box 3025  
New Albany, OH 43054-3025

Edward Hospital  
Po Box 4207  
Carol Stream, IL 60197-4207

FNB OMAHA  
1620 DODGE ST  
OMAHA, NE 68197-0003

(p)ILLINOIS DEPARTMENT OF REVENUE  
BANKRUPTCY UNIT  
PO BOX 19035  
SPRINGFIELD IL 62794-9035

PRA Receivables Management LLC  
POB 41067  
Norfolk, VA 23541-1067

ALLY FINANCIAL  
200 RENAISSANCE CTR  
DETROIT, MI 48243-1300

(p)CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130-0285

CHRYSLER Capital  
PO BOX 961275  
FORT WORTH, TX 76161-0275

Capital One Bank (USA), N.A.  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Commonwealth Edison Company  
Bankruptcy Department  
1919 Swift Drive  
Oak Brook, IL 60523-1502

Dupage Medical Group  
15921 Collection Center Dr  
Chicago, IL 60693-0001

FEB-RETAIL  
3175 Commercial Ave  
Ste 201  
Northbrook, IL 60062-1924

(p)PERI GARITE  
ATTN CARD WORKS  
101 CROSSWAYS PARK DR W  
WOODBURY NY 11797-2020

J.B. ROBINSON JEWELERS  
375 GHENT RD  
FAIRLAWN, OH 44333-4601

PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Ally Financial  
PO Box 130424  
Roseville, MN 55113-0004

CBNA  
Po Box 6497  
Sioux Falls, SD 57117-6497

COMENITYBANK/KAY  
3100 Easton Square Place  
Columbus, OH 43219-6232

Citibank, N.A.  
701 East 60th Street North  
Sioux Falls, SD 57104-0493

DISCOVER FIN SVCS LLC  
PO Box 3025  
New Albany, OH 43054-3025

EAGLE HOME MORTGAGE, L  
15550 LIGHTWAVE DR STE 2  
CLEARWATER, FL 33760-3504

FIRST PREMIER BANK  
c/o Jefferson Capital Systems LLC PO Box  
c/o Linda Dold  
Saint Cloud, MN 56302

IRS 1  
PO Box 7346  
Philadelphia, PA 19101-7346

JARED GALLERIA  
375 GHENT RD  
FAIRLAWN, OH 44333-4601

JPMorgan Chase Bank, N.A.  
s/b/m/t Chase Bank USA, N.A.  
JPMC  
c/o National Bankruptcy Services, LLC  
P.O. Box 9013  
Addison, Texas 75001-9013

OneMain  
PO Box 3251  
Evansville, IN 47731-3251

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

SFLNDCORP  
ONE LETTERMAN DRIVE BUILDING A, SUITE 47  
SAN FRANCISCO, CA 94129-1494

SYNCB/BP  
C/O PO BOX 965024  
ORLANDO, FL 32896-0001

SYNCB/WALMAR  
2001 Western Ave  
Ste 400  
Seattle, WA 98121-3132

SoFi Lending Corp  
One Letterman Dr Bldg A Ste 4700  
San Francisco, CA 94129-1512

TBOM/ATLS/FORTIVA  
PO BOX 105555  
ATLANTA, GA 30348-5555

WF BANK NA  
PO BOX 14517  
DES MOINES, IA 50306-3517

John Coleman  
24242 W. Bristol Ave  
Plainfield, IL 60585-2119

KAY JEWELERS  
1903 Southlake Mall  
Merrillville, IN 46410-6434

PENNYMAC LOAN SERVICES  
Po Box 514387  
Los Angeles, CA 90051-4387

Premier Bankcard, Llc  
Jefferson Capital Systems LLC Assignee  
Po Box 7999  
Saint Cloud Mn 56302-7999

SOFI  
2750 E COTTONWOOD PKWY  
COTTONWOOD HEIGHTS, UT 84121-7284

SYNCB/CARE CREDIT  
C/O P.O. BOX 965036  
ORLANDO, FL 32896-0001

Santander Consumer USA  
ATT POC: Janiscia Jackson PO Box 961245  
Fort Worth, TX 76161-0244

Surgical Center of Dupage Medical Group  
1593 Paysphere Circle  
Chicago, IL 60674-0015

(p)TOYOTA MOTOR CREDIT CORPORATION  
PO BOX 8026  
CEDAR RAPIDS IA 52408-8026

Wells Fargo Bank, N.A.  
PO Box 10438, MAC F8235-02F  
Des Moines, IA 50306-0438

Michael Spangler  
The Semrad Law Firm, LLC  
20 S Clark St, 28th Floor  
Chicago, IL 60603-1811

ONEMAIN  
605 Munn Rd E  
Fort Mill, SC 29715-8421

PennyMac Loan Services, LLC  
P.O. Box 660929  
Dallas TX 75266-0929

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788  
Kirkland, WA 98083-0788

SYNCB/ASHLEY HOMESTORE  
7780 S Cicero Ave  
Burbank, IL 60459-1583

SYNCB/NETWRK  
C/O PO BOX 965036  
ORLANDO, FL 32896-0001

Santander Consumer USA Inc.  
an Illinois corporation  
d/b/a Chrysler Capital  
PO Box 961275  
Fort Worth, TX 76161-0275

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Verizon  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Glenn B Stearns  
801 Warrenville Road Suite 650  
Lisle, IL 60532-4350

Patrick S Layng  
Office of the U.S. Trustee, Region 11  
219 S Dearborn St  
Room 873  
Chicago, IL 60604-2027

Sarah A Lentes  
The Semrad Law Firm, LLC  
20 S. Clark St. Suite 2800  
Chicago, IL 60603-1811

Yisroel Y Moskovits  
The Semrad Law Firm, LLC  
20 S. Clark St.  
28th Floor  
Chicago, IL 60603-1811

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

CAPITAL ONE BANK USA N  
PO BOX 85520  
RICHMOND, VA 23285

CHASE CARD  
201 N Walnut St  
Wilmington, DE 19801

First National Bank of Omaha  
1620 Dodge Street, Stop Code 3105  
Omaha, NE 68197

Illinois Department of Revenue  
PO Box 19035  
Springfield, IL 62794-9035

(d) KOHLS/CHASE  
PO BOX 15298  
WILMINGTON, DE 19850

Portfolio Recovery Associates, LLC  
PO Box 41067  
Norfolk, VA 23541

(d) Portfolio Recovery Associates, LLC  
c/o Care Credit  
POB 41067  
Norfolk VA 23541

TOYOTA MOTOR CREDIT  
PO Box 5855  
Carol Stream, IL 60197

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) PENNYMAC LOAN SERVICES, LLC

End of Label Matrix

Mailable recipients61

Bypassed recipients1

Total62

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	
	)	CASE NO. 19 B 18649
John Coleman,	)	HONORABLE LaShonda A Hunt
	)	CHAPTER 13
DEBTOR.	)	

**MOTION TO MODIFY PLAN**

NOW COMES the Debtor, John Coleman, by and through Debtor's attorney, The Semrad Law Firm, LLC and hereby moves this Honorable Court to modify the Chapter 13 Plan, and Debtor states the following:

1. On July 1, 2019 the Debtor filed a petition for relief pursuant to Chapter 13 Title 11 U.S.C.
2. On September 20, 2019, this Honorable Court confirmed the Debtor's Chapter 13 Plan.
3. The confirmed Chapter 13 Plan allows for secured creditors to be paid 100% of their allowed claims, and general unsecured creditors without priority to be paid 21% of their allowed claims.
4. The confirmed Chapter 13 Plan requires the Debtor to make payments to the Chapter 13 Trustee in the amount of \$1,500.00 on a monthly basis for 60 months.
5. Debtor fell behind on his mortgage payments in the amount of \$4,040.04 due to the Covid-19 pandemic.
6. That the Debtor wishes to modify Section 3.1 of the Plan to cure the post-petition arrears in the amount of \$4,040.04 to PennyMac Loan Services, LLC.
7. That the Debtor owes \$8,731.68 in pre-petition mortgage arrears and \$4,040.04 in post-petition mortgage arrears.
8. That the Debtor does not anticipate falling behind on mortgage payments moving forward.

9. That Section 1322(b)(5) allow a debtor to cure any mortgage default. *In re Hogle*, 12 F.3d 1008, 1012 (11th Cir. 1994)(allowing debtor to modify a chapter 13 plan post-confirmation to include post-petition mortgage default in debtors plan when the mortgage company filed a motion for relief from the automatic stay). This would cure the post- petition mortgage default and thus allow the court to overrule the mortgage's motion to modify the stay.
10. That on March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act H.R. 748 (CARES ACT) was signed into law.
11. Under the CARES ACT, Section 1113(b) Debtor(s) affected by the Covid-19 pandemic may petition the Court for plan modification, including, but not limited to extending the plan up to seven years from the date of confirmation.
12. That the Debtor's plan term past the 60-month period to cure the post-petition mortgage default and be feasible.
13. Debtor respectfully requests this Honorable Court to amend Section 3.1 of the Plan to increase PennyMac Loan Services, LLC's mortgage arrears claim by \$4,040.04 for a total arrears claim of \$12,771.72 for post-petition mortgage arrears.
14. Debtor further requests this Honorable Court to extend the Debtor's Chapter 13 plan term past the 60-month period pursuant to the CARES Act.
15. Debtor has filed the instant case in good faith and intends to complete the plan of reorganization.

WHEREFORE, Debtor prays this Honorable Court for the following relief:

- A. That Section 3.1 of Debtor's Chapter 13 plan is amended to increase PennyMac Loan Services, LLC's mortgage arrears claim by \$4,040.04 for a total arrears claim of \$12,771.72 for post-petition mortgage arrears; and

B. That the plan will extend past the 60-month period pursuant to the CARES act;  
and

C. For any further relief as the Court may deem fair and proper.

Respectfully submitted,

/s/ Yisroel Y. Moskovits  
Attorney for Debtors

The Semrad Law Firm, LLC  
Attorney for Debtors  
10 N Martingale Rd Suite 400  
Schaumburg, IL 60173  
(312) 913-0625